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**Response under 37 C.F.R. 1.116
- Expedited Examining Procedure -
Examining Group 1734**

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Thomas Laney, et al.

**THERMAL-DYE-TRANSFER LABEL
CAPABLE OF REPRODUCING
FLESH TONES**

Serial No.: 10,602,839

Filed: June 24, 2003

Commissioner for Patents
Alexandria, VA 22313-1450

Sir:

Group Art Unit: 1734

Examiner: George R. Koch

I hereby certify that this correspondence is being deposited today with the United States Postal Services as First Class Mail in an envelope addressed to: Commissioner for Patents, Post Office Box 1450, Alexandria, VA 22313-1450

Karen J. Wacenske
NAME

Karen J. Wacenske
SIGNATURE

DATE: 11-2-05

REQUEST FOR RECONSIDERATION
PURSUANT TO 37 C.F.R. § 1.116

In response to the Office Action mailed August 25, 2005, Applicants provide the following remarks. Consideration of the remarks after final is proper under 37 C.F.R. §1.116 because 1) the claims are not amended; 2) no further search or consideration of the claims is required; 3) the remarks clarify issues previously presented; and 4) the remarks place the application in condition for allowance. Entry and consideration of the remarks are thus respectfully solicited.

Claims 1-14, 19-26, 33-36, and 38-44 are rejected under 35 U.S.C. 103(a) over Weber (US 5,288,548) and Freedman (US Patent 5,372,669). Claims 11,12,15-18, 27-37, 42, and 44 are rejected under 35 U.S.C. 103(a) over Weber and Freedman as applied to claim 1 and 11 above, and further view of Shirai (US Patent 6,153,558), Harrison (US 5,399,218), Oshima (US 6,162,517), or a combination thereof. Applicants traverse each of the rejections for at least the following reasons.

Arguments with respect to Weber

Applicants respectfully assert that the Patent Office has incorrectly understood the cited primary reference of Weber. The Patent Office points to selected sections of